

SPECIAL MEETING NORTH SMITHFIELD TOWN COUNCIL

JUNE 29, 2011

KENDALL-DEAN SCHOOL AUDITORIUM

7:00 P.M.

The meeting began at 7:00 P.M. with the prayer and the pledge to the flag. Council members present were Ms. Alves, Mrs. Charest, Mr. McGee, Mr. Zwolenski and Mr. Yazbak. Town Administrator Hamilton and Town Solicitor Nadeau were also present.

PRESENTATION OF AMERICAN FLAG

Mr. Yazbak donated an American flag to Public Works Director Raymond Pendergast to replace the one at the highway barn.

Ms. Hamilton also noted that Senator Tassoni had provided three flags for the town's use.

ADOPTION OF BUDGET FOR FISCAL YEAR 2011/2012

MOTION by Mr. Yazbak and seconded by Mrs. Charest to place on the table a General Fund budget of \$33,785,831.

Mr. Yazbak commented that this budget maintains the tax rates at the 2010/2011 levels of \$15.32 for residential real estate, \$17.65 for commercial real estate, \$43.00 for personal property and \$37.62 for motor vehicles. He added that the vast majority of his proposal is from the recommendations of the Administration in their revised budget proposal received earlier this month and from the Budget

Board who revised their recommendations this past Monday night.

Explanations for differences Mr. Yazbak is proposing:

- **Revenue from “Current Year Taxes” proposed at \$26,932,391 which is what is expected to be collected per the Finance Director in a revised email sent on June 28th.**
- **“Sharing” of one of the Finance Department Fiscal Clerks to perform some functions of an Administrator’s assistant and to continue some functions in the Finance Department. We currently**

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have a vacancy as there has been no Administrative Assistant for three months, so we should be able to reduce the head count in Town Hall by one person without anyone losing their job.

- **Although the Administration and Budget Board both recommended the first increases in two or three years for non-union employees, most of which are department heads, I have proposed no increases in salary for any non-union employee who is currently receiving \$55,000 or more in salary. Although I firmly believe most of these employees should receive an increase in compensation, I do not feel we can afford to give everyone an increase this fiscal year. I think those not receiving an increase this year, would be first in line for an increase next year assuming this is agreeable with a majority of the members of the Council. This affects four employees as follows: (1) Town Solicitor, (2) Town Planner, (3) Parks & Rec Director, and (4) Finance**

Director.

- **I am proposing we move three line items from the Audit & Computer Service area to Contingency. This Contingency item will be released by the Council after the review of the computer systems is complete and a plan of action is adopted and agreed upon with the Administration and potentially with the School Department. This project, like many has been delayed, but without some Council intervention to get it back on track it may languish and not become the priority that I believe it should be.**
- **Contingency Fund – General was changed because it is just a balancing account for unexpected items that pop up during the fiscal year.**
- **I propose a reduction in Police Department “Gas, Oil and Tires” which seems reasonable based on the fact that three new vehicles have just been received and we are asked to approve three additional vehicles later tonight in the Capital Budget.**
- **I propose adjusting Fire Department Vehicle Fuels and Vehicle Maintenance to more realistic amounts based on my personal knowledge and understanding.**
- **I propose a “combining” of the salary for Mr. Pendergast’s position under the Parks and Recreation Department.**
- **I have reduced the funding for “Unemployment Insurance” and “Vacation/Sick Payout” for this one year only. Currently we have \$89,057.14 in the “Accrued Vacation” account and another \$194,304.34 in the “Accrued Sick Time” account. In my opinion not funding these line items for one year will not result in any negative**

consequences. This is not my preference, but a necessary step not to have a tax rate increase.

- I propose we fund \$2,500.00 to the Senior Services for health services provided North Smithfield Seniors as requested by former TA Linda Thibault and we reduce the amount budgeted for Senior Citizen Bus Trips.

- I did not change the budget for the Conservation Commission from the Budget Board's recommendation after I reviewed the list of expenditures year to date. If adopted without change, this proposed budget would have \$35,663.00 in Contingency that the Council could utilize during the fiscal year if we saw fit.

On a roll call vote, the MOTION passed unanimously, 5 to 0.

TOWN COUNCIL - \$10,600

PROBATE COURT - \$8,464

TOWN SOLICITOR - \$170,644

MUNICIPAL COURT - \$27,532

ADMINISTRATOR'S OFFICE - \$99,348

Ms. Hamilton questioned the reduction of the Administrative Assistant position from full-time to part-time noting that the person currently in the position was waiting for July 1 to come on full-time.

She also felt the Grant Writer's position should be funded.

Although Mr. Yazbak felt the finance department was slightly overstaffed and the Administrator's office was slightly understaffed, he suggested these changes in an effort to get through this year.

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Next year, hopefully, could be better if Dowling Village comes on line and if the town receives funds from the National Grid project as expected.

PERSONNEL/ADM SERV. - \$0

TOWN CLERK'S OFFICE - \$130,501

PLANNING DIVISION - \$98,829

BOARD OF CANVASSERS - \$5,405

FINANCE OFFICE - \$178,210

MOTION by Mr. Zwolenski, seconded by Ms. Alves, and voted 4 to 1 (Mr. Yazbak voted no) on a roll call vote to increase Finance Director Brian Silvia's salary from \$69,160 to \$71,235 as recommended by the Administrator and the Budget Committee.

The funding source will be the contingency fund.

TAX ASSESSOR'S OFFICE - \$125,824

TAX COLLECTOR'S OFFICE - \$77,760

BOARD OF TAX REVIEW - \$1

AUDITS & COMPUTER SERV. - \$39,900

Mr. Yazbak noted he had moved \$65,750 for IT Personnel, Comp Serv – GL and Hardware/Service to the Contingency Fund.

ZONING BOARD - \$5,879

PERSONNEL BOARD - \$1

CONSERVATION COMMISSION - \$1

MOTION by Mr. Zwolenski to fund the Conservation Commission in the amount of \$600 rather than \$1. There was no second.

Mr. Yazbak noted that if the commission does require funds during the year, they can come to the Council and if there is money available in the Contingency Fund, that could be used.

HISTORIC DISTRICT COMMISSION - \$1

HOUSING AUTHORITY - \$1

REGIONAL INDUSTRIAL DEVELOPMENT - \$1,000

PUBLIC SAFETY COMMISSION - \$1

BUDGET COMMITTEE - \$1

JUVENILE HEARING BOARD - \$3,249

TOWN HALL - \$9,890

PLANT OPERATIONS - \$36,500

PRINTING & ADVERTISING - \$15,000

CONTINGENCY FUND - \$172,538

MOTION by Mr. Yazbak, seconded by Mr. Zwolenski, and voted unanimously on a roll call vote to reduce line item 4194-565 Contingency Fund – General from \$35,663 to \$33,588. This is for the increase to the Finance Director’s salary in the amount of \$2,075.

SCOUTERS’ HALL - \$4,232

NS PUBLIC LIBRARY - \$342,924

JUDGEMENTS - \$0

ANNEX MAINTENANCE - \$0

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POLICE DEPARTMENT - \$1,773,948

ANIMAL CONTROL - \$55,000

CIVIL DEFENSE - \$11,572

NS FIRE DEPARTMENT - \$2,379,768

Mr. Yazbak had reduced the Services line item by \$60,000 based on comments from the NSF&RS Inc. Board of Directors Chairman Paul Shatraw.

HYDRANT RENTAL - \$45,000

INSPECTION DIVISION - \$110,955

Ms. Alves questioned if the Building Inspector's position could be reduced to part-time since construction and revenues have gone down.

HIGHWAY DEPARTMENT - \$662,323

Mr. Yazbak combined the Public Works Director salary with the Parks and Recreation Director salary, thus the decrease in the department.

PARKS & RECREATION - \$126,047

TREE WARDEN - \$3,480

STREET LIGHTS - \$185,000

RUBBISH DISPOSAL - \$610,974

SEALER OF WEIGHTS - \$1

DEBT SERVICE/PRINCIPLE - \$1,792,902

DEBT SERVICE/INTEREST - \$1,742,701

EMPLOYEE BENEFITS - \$1,528,787

INSURANCE - \$190,000

SCHOOL DEPARTMENT - \$20,957,313

MOTION by Ms. Alves and seconded by Mr. Zwolenski to bring line item 4821-922, the Town's funding of the School Appropriation, down to \$17,242,953 in place of the proposed \$17,285,450.

Roll call vote: Ms. Alves – yes; Mrs. Charest – no; Mr. McGee – no; Mr. Zwolenski – no; and Mr. Yazbak – no. The motion failed 4 to 1.

GRANTS & CONTRIBUTIONS - \$43,750

Ms. Hamilton commented that the Administration's adjusted numbers in this proposal were not the same as those in the budget book.

MOTION by Mr. Yazbak, seconded by Mrs. Charest, and voted unanimously on a roll call vote that the budget proposal of \$33,785,831, as amended, be adopted.

SEWER DEPARTMENT BUDGET

MOTION by Mr. Yazbak, seconded by Mrs. Charest, and voted unanimously on a roll call vote to adopt a sewer department budget of \$2,101,779.

WATER DEPARTMENT BUDGET

MOTION by Mr. Yazbak, seconded by Mrs. Charest, and voted unanimously on a roll call vote to adopt a water department budget of \$515,152.

CAPITAL BUDGET

MOTION by Mr. Yazbak, seconded by Ms. Alves, and voted unanimously on a roll call vote to adopt a capital budget of \$250,240.

This includes \$50,000 for a pick up truck with plow and sander, \$60,000 for a one-ton dump truck with plow and sander for a total of \$110,000 in the Highway Department; \$68,000 for a Toro groundmaster 4000 tractor for the Parks and Recreation Department;

and \$72,240 for Police Department cruisers.

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**NS FIRE & RESCUE SERVICE, INC. THIRD AMENDMENT
AGREEMENT TO CONTRACT**

Mr. Nadeau provided two versions of the amendment, one with a one-year extension and one without. Both include a reduction of \$60,000 in the budget.

MOTION by Mr. Zwolenski and seconded by Mrs. Charest to accept the third amendment to the contract by and between North Smithfield Rescue Service, Inc. and the Town of North Smithfield to continue it through June 30, 2012 with a savings of \$60,000.

Roll call vote: Ms. Alves – no; Mrs. Charest – yes; Mr. McGee – yes; Mr. Zwolenski – yes; and Mr. Yazbak – no. The motion carried 3 to 2.

METHOD OF TAX COLLECTION

MOTION by Mrs. Charest, seconded by Mr. Zwolenski, and voted unanimously on a roll call vote to adopt the following Method of Tax Collection: “That the finance director be and is hereby authorized to pay each order when approved by the town council, by the school committee or the director of public aid, as the case may be. That the finance director be and is hereby authorized to apply receipts for the interest on overdue taxes toward the payment of interest on bonds

and notes of the town. That the finance director be and is hereby authorized, within the consent of the town council, to hire such sum or sums of money as may be necessary to carry on the business of the town for the ensuing year. That the finance director be and is hereby authorized to pay the town's debts and interest. IT IS HEREBY RESOLVED: That the North Smithfield Town Council, in a meeting legally assembled on June 29, 2011, hereby orders a levy apportionment and collection of a tax on the ratable real estate, tangible personal property and an excise tax on registered motor vehicles and trailers in a sum of not less than \$27,335,000, nor more than \$27,835,000. Said taxes are for ordinary expenses and charges, for the payment of interest and indebtedness in whole or in part of said town and for the other expenses or purposes authorized by law. The tax assessor shall assess and apportion said tax on the inhabitants and ratable property of said town as of the thirty-first (31st) day of December A.D. 2010, at twelve (12) o'clock midnight Eastern Standard Time or Daylight Savings Time, with exception of new construction, as the case may be according to law and delivered to and deposited the same in the office of the town administrator on or before the thirtieth (30th) day of June, 2011. The town administrator, on receipt of said assessment, shall forthwith make a copy of same and deliver it to the finance director, who shall forthwith issue and affix to said copy a warrant under his/her hand directed to the collector of taxes of the town, commanding him/her to proceed and collect said tax of the person and estate liable therefore, said tax shall be due and payable no later than the fifteenth (15th) day of

August, 2011, and all taxes remaining unpaid no later than the fifteenth (15th) day of August, 2011, shall carry until collected a penalty at a rate of twelve (12) percent per annum, unless specifically abated by a vote of the Town Council under Title 44 of the General Laws of RI, 1956, as amended. Said tax may be paid in four (4) installments, the first installment of twenty-five (25) percent no later than the fifteenth (15th) day of August, A.D., 2011, and the remaining installments as follows: twenty-five (25) percent on the fifteenth (15th) day of October, A.D., 2011 and twenty-five (25) percent on the fifteenth (15th) day of January A.D., 2012 and the remaining twenty-five (25) percent on the fifteenth (15th) day of April, A.D., 2012.

Each installment of taxes, if paid on or before the last day of each installment period successively and in order, shall be free from any charge for penalty. If the first installment or any succeeding installment of taxes is not paid by the last date of the respective installment period or periods as they occur, then the whole tax or remaining unpaid balance of the tax, as the case may be, shall immediately become due and payable and carry until collected a penalty at a rate of twelve (12) percent per annum from the first quarter due date or the last satisfied quarter unless specifically abated by a vote of the town council under Title 44 of the General Laws of RI, 1956, as amended. Quarterly payment option shall not apply to any tax levied in an amount not in excess of one hundred dollars (\$100.00) in which case such tax shall be payable in a single installment.”

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MOTION by Mrs. Charest, seconded by Ms. Alves, and voted unanimously on an aye vote to adjourn at 8:13 P.M.

Respectfully submitted,

Debra A. Todd, Town Clerk